

1 Thomas S. Gingras, Esquire
2 Alaska Bar No. 7811098
3 EIDE, GINGRAS & PATE, P.C.
4 425 G Street, Suite 930
5 Anchorage, Alaska 99501
6 Tel. (907) 279-0930
7 Fax. (907) 279-0933

5 Attorneys for Defendants
6 Kanag'iq Construction Co., Inc. &
7 Western Surety Company

8 IN THE UNITED STATES DISTRICT COURT

9 FOR THE DISTRICT OF ALASKA

10 THE UNITED STATES for the use of)
11 GMW Fire Protection, Inc., an Alaska)
12 Corporation,)
13 Plaintiff,)
14 vs.)
15 KANAG'IQ CONSTRUCTION CO.,)
16 INC., an Alaska Corporation and)
17 WESTERN SURETY COMPANY, a)
South Dakota Corporation,)
18 Defendants.)

Case No. A05-170 Civil (JKS)

19
20 **MOTION FOR RULE OF LAW AND PARTIAL SUMMARY JUDGMENT**
REGARDING SUBCONTRACT

21 Defendants, KANAG'IQ CONSTRUCTION CO., INC. AND WESTERN
22 SURETY COMPANY, by and through their counsel, Eide, Gingras & Pate, P.C., move
23 for a rule of law and partial summary judgment regarding the subcontract in this matter.
24 The motion is filed pursuant to Federal Civil Rule 56. There is no genuine issue of
25

1 material fact on the particular contractual issues set forth, and Defendants are entitled to
 2 judgment as a matter of law.

3 The motion is supported by the attached Memorandum of Law and accompanying
 4 documents.

5 DATED at Anchorage, Alaska this 19th day of June 2006.

6
 7 EIDE, GINGRAS & PATE, P.C.
 8 Attorneys for Defendants
 9 Kanag'iq Construction Co., Inc.
 And Western Surety Company

10 By: s/Thomas S. Gingras
 11 Thomas S. Gingras
 12 425 G Street, Suite 930
 13 Anchorage, AK 99501
 14 Phone: (907) 279-0930
 15 Fax: (907) 279-0933
 16 E-mail: tsgingras@egpalaska.com
 17 Alaska Bar No. 7811098

18 **CERTIFICATE OF SERVICE**

19 DONNA CHARTER certifies as follows:

20 That I am a legal secretary employed by the
 21 law firm of Eide, Gingras & Pate, P.C. That
 22 on this 19th day of June 2006, I served

23 [x] electronically

24 a true and accurate copy of the foregoing
 25 document upon the following counsel of record:

Attorneys for Plaintiff:

Sarah J. Tugman, Esq.
 2509 Eide Street, Suite 4
 Anchorage, Alaska 99503

EIDE, GINGRAS & PATE, P.C.

By s/Donna Charter
 Donna Charter

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Eide, Gingras & Pate P.C.
 425 G Street, Suite 930
 Anchorage, Alaska 99501
 (907) 279-0930 telephone
 (907) 279-0933 fax